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S E C R E T SECTION 01 OF 03 BANGKOK 002410

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TAGS: [PGOV](#) [PHUM](#) [PINR](#) [PREL](#) [PTER](#) [TH](#)

SUBJECT: SOUTHERN VIOLENCE: FEWER CASES OF ABUSE REPORTED,  
BUT PROBLEMS REMAIN

REF: A. BANGKOK 02255 (THAI OFFICIALS BRIEF DIPLOMATS)  
[1](#)B. BANGKOK 00957 (RTA COMMANDER ANUPONG COMMITTED  
TO RULE OF LAW)  
[1](#)C. BANGKOK 00941 (PROMINENT THAI NGOS RELEASE  
REPORTS ON ABUSES)

BANGKOK 00002410 001.2 OF 003

Classified By: Deputy Chief of Mission, James F. Entwistle, reason 1.4  
(b) and (d).

[1](#)1. (C) Summary and comment: Thai security officials who are working to curb alleged human rights abuses committed by members of security units fighting the insurgency in Thailand's deep south may be seeing some success; embassy contacts working with victims of abuse reported in July that the number of abuse cases brought to their attention has dropped significantly. While this development in no way signals an end to possible human rights violations in the deep south, and NGOs are continuing to investigate allegations of torture and abuse, it is a hopeful sign that senior military officials are serious about dealing with this problem.

[1](#)2. (C) Comment: We have repeatedly brought our concerns about human rights abuses to the attention of the highest levels of the Thai military and will continue to do so; we are currently waiting on a response from the Thai government on a request for information about the investigation into the death of Muslim cleric Yapa Koseng, who died in March while in military custody. Although General Anupong has been assuring us for sometime that he would rein in perceived human rights abuses in the South, it was only after Yapa's death that attorneys who work with alleged abuse victims began to see a drop in the number of cases reported to them. As in most conflicts of this nature, however, it is impossible to understand the violence in the South without taking into account the cycles of attack and reprisal that are driven as much by anger as by ideology or nationalism. Although the Thai military leadership appears to be working to end alleged human rights abuses, we should not be surprised by reports of army and paramilitary units responding with harsh tactics when faced with gruesome provocations by the insurgents. End Summary and comment.

The Good News: Fewer Reported Cases

13. (C) In July, we conducted a series of meetings with NGOs working on human rights issues in southern Thailand to talk about allegations of torture and abuse in army and police detention facilities. Giving us unexpected good news, contacts working with the Muslim Attorneys Center (MAC) told us that the number of cases of abuse reported to them had dropped off markedly over the past several months. (Note: MAC is an association of Muslim attorneys who provide legal assistance to residents of southern Thailand in cases relating to national security. End note.) MAC told us that at the beginning of the year they were receiving on average 25 reports of abuses a month. In April, they said, the number dropped off to just two. They alleged abuse still happens, but now it takes place at the "special task force level and during village sweep operations," before suspects reach official detention facilities such as Ingkayut Borihan Camp in Pattani. According to MAC, transfer to Ingkayut Borihan can sometimes take several days, leaving suspects at the mercy of units directly involved in the fighting. MAC said they are not receiving any reports of abuses occurring in Ingkayut Borihan.

14. (C) Preeda Thingchumnum (protect), an attorney who works with MAC, believes the primary reason there are fewer cases of alleged torture and abuse is that human rights NGOs have been successful in pressuring the government to take better control of security forces operating in the South, particularly paramilitary units. According to Preeda, a senior Ministry of Justice official told MAC that the NGO community has been very effective in exerting pressure on the security establishment through Thai NGOs, civil society groups, and representatives of the international community.

BANGKOK 00002410 002.2 OF 003

Preeda also gave credit to MAC. She said the military is now more aware that its operations are being scrutinized because of MAC's victim advocacy work, and its ability to contest cases of illegal detention and abuse in court. The issue now, according to Preeda, is keeping track of suspects once they are detained, and obtaining information about their arrest and detention. Preeda also said MAC continues to be extremely concerned over reports of extrajudicial killings.

The Bad News: Problem Continues

15. (C) While MAC's positive assessment of progress on the issue of abuse in detention facilities is good news, Benjamin Zawacki (protect throughOut), an Amnesty International representative investigating allegations of torture and abuse in the South, gave a more sobering assessment. Zawacki, who had just returned from the South in June, said he had reviewed 23 cases of alleged torture and abuse involving 25 persons. He said he met with the individuals involved, interviewed security officials, and looked for evidence of systematic abuse or torture. He said all the incidents he investigated took place in 2008, between January and June. Acknowledging the difficulty of looking into cases of human rights abuse in southern Thailand, he said many of the alleged victims were afraid to speak to him. He also said he believed that at least some of the victims he interviewed were active participants in the insurgency.

16. (C) Zawacki, while being careful to caveat his statements, said his impression was that the torture and abuse Amnesty is documenting in the South was not part of any official policy, but nonetheless a deep seated and widespread problem. He said he was surprised at the consistent descriptions victims gave him about the alleged torture and abuse, particularly since the victims came from different parts of the South and were detained by different units. He said that in a minority of cases, the abuse only took the form of beatings. Most cases involved use of electric shocks, needles in genitalia, and a technique involving placing a plastic bag over the head

of the suspect and submerging the suspect in water. Zawacki said most people he interviewed believed their tormentors were from ranger units, but offered no proof. He said the abuse usually took place during the first three days of detention and sometimes lasted until day seven. Once a suspect was transferred to Ingkayut Borihan camp, the abuse would stop, and they would occasionally be offered medical attention in exchange for signing paperwork alleging the abuse never took place. Zawacki said the victims he interviewed told him that once someone confessed, the abuse would immediately end.

17. (C) According to Zawacki, the most senior military officer he spoke with, a colonel, acknowledged that the military was having trouble controlling abuse. He told the representative that many of the confessions obtained by security forces were false.

#### Turning Point: Death of Imam Yapa in March

18. (C) The death in Army custody of Imam Yapa Koseng in March may have been a turning point for senior officials working on controlling the excesses of troops in the South. Imam Yapa was a Muslim cleric who was detained, allegedly abused, and died while in army custody in March. (Note: See reftel C. According to Sunai Phasuk (protect) from Human Rights Watch (HRW), Yapa was an insurgent leader responsible for leading and carrying out attacks against government and civilian targets in Narathiwat's Rangae and Ruso districts. Thai and international NGOs have reported that he was detained by Royal Thai Army Task Force 39 and beaten repeatedly. According to the NGO,s the final beating occurred in full view of other detained suspects who watched soldiers stomping him to death. End note.) After Yapa,s death, both Army Commander-in-Chief Anupong and the Deputy Commander of the Region 4 ISOC, Major General Jumlong Kunsong, made forceful public statements that torture and abuse would not be

BANGKOK 00002410 003.2 OF 003

tolerated (reftel B).

19. (C) In response to the death of Imam Yapa, on July 24 we delivered a letter to the Thai Ministry of Defense and to the Royal Thai Armed Forces Headquarters (RTARF) from the DCM emphasizing USG concerns over the incident and requesting information about an official investigation into the death. In the meeting in which the letter was delivered, General Attaporn Charoenpanich, Judge Advocate General at the Ministry of Defense, explained to us that the case was now a police matter, in the Narathiwat judicial system. He said the civilian criminal courts had jurisdiction over the case because of the possibility that the death could be ruled an extra judicial killing. The Narathiwat police were currently reviewing the autopsy inquiry. If the case were found to have sufficient merit, the police would refer it to the public prosecutor. General Attaporn predicted that the case would likely land in the jurisdiction of the National Counter-Corruption Commission because it involved the actions of government officials.

110. (S) In a separate meeting about Yapa,s death, Lieutenant General Surapong SuwQ-adth (protect), Director of Joint Intelligence, RTARF Headquarters, told us that the Royal Thai Army (RTA) had concluded its own investigation into Yapa,s death and had punished five soldiers whom the RTA had found to be involved in "actions contrary to regulations." Surapong explained that three non-commissioned officers had served sixty days and a lieutenant had served thirty days in military prison. In addition, a captain had received other punishment that our contact was unwilling to specify. The five soldiers, the commander, and deputy commander of the unit had been transferred away from the South. The contact confirmed that the RTA punishment was separate from anything that could result from a criminal prosecution in the civilian courts. (Note: Although the RTARF has not disclosed to us

the make-up of Special Task Force 39, our HRW contact, Sunai Phasuk (protect), told us that the unit has been transferred to Yala province. Sunai claimed Special Task Force 39 is composed of personnel from the 18th Cavalry Battalion, 3rd Cavalry Regiment, 1st Cavalry Division, of the 3rd Army Area. End note.)

JOHN